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19 **UNITED STATES DISTRICT COURT**  
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21 **NORTHERN DISTRICT OF CALIFORNIA**

22 IN RE 23ANDME, INC. CUSTOMER DATA  
23 SECURITY BREACH LITIGATION

24 CASE NO. 3:24-md-03098-EMC

25 **JOINT STATUS UPDATE IN RESPONSE TO**  
26 **ORDER (ECF NO. 166)**

1       On December 4, 2024, the Court issued an order (ECF No. 160) conditionally granting the Motion  
 2 for Preliminary Approval (ECF No. 103) and ordering 1) the Settling Parties to report back on whether  
 3 modifications have been made consistent with the Court's December 4, 2024 Order; and 2) the Settling  
 4 Parties and Arbitrating Objectors to report back on the language of a notice to be issued to individuals  
 5 seeking arbitration who have been excluded from the class definition, within two weeks.

6       On December 18, 2024, the Settling Parties requested the Court allow 23andMe until  
 7 January 17, 2025, to consider and advise the Court whether it can proceed with the modified settlement  
 8 terms. ECF No. 161. The Court granted the request on December 20, 2024. ECF No. 162.

9       On January 15, 2025, the Settling Parties advised the Court that they were scheduled to attend a  
 10 mediation with attorneys representing the Arbitrating Objectors and the attorneys representing the State  
 11 Court Objectors with Randall Wulff on January 22, 2025. The Settling Parties requested the Court allow  
 12 the Settling Parties to report back to the Court two weeks after the January 22, 2025 Mediation, by  
 13 February 5, 2025, regarding the status of settlement negotiations and to advise the Court whether the  
 14 Settling Parties can proceed with the modified settlement terms, or, in the event 23andMe elects not to  
 15 proceed with the modified settlement, to propose a deadline for 23andMe's response to the Consolidated  
 16 Amended Complaint. ECF No. 163. The Court granted the request on January 15, 2025. ECF No. 164.

17       Since attending the mediation on January 22, 2025, 23andMe has been in communication with the  
 18 attorneys representing the Arbitrating Objectors and the attorneys representing the State Court Objectors  
 19 regarding resolution of their claims. On February 5, 2025, 23andMe requested an additional 9 days—to  
 20 February 14, 2025—to report to the Court regarding the status of settlement negotiations and to advise the  
 21 Court whether 23andMe can proceed with the modified settlement terms. The Court granted the request  
 22 on February 6, 2025. ECF No. 166.

23       23andMe requires two more weeks, to February 28, 2025, while it is in discussions with the  
 24 Arbitrating Objectors and the State Court Objectors to advise the Court whether it will go forward with the  
 25 modified settlement terms. If 23andMe agrees to go forward with the modified settlement terms, the  
 26 Settling Parties will present to the Court the modified notice (ECF No. 160) on or before March 14, 2025.

27       Plaintiffs have no objection to the extension, but propose that if 23andMe does not accept the  
 28 modified settlement terms on or before February 28, 2025, the following deadlines shall apply:

1                   Deadline to respond to the Consolidated Class Action Complaint: April 1, 2025

2                   Deadline to file a response to any Motion to Dismiss: May 1, 2025

3                   Deadline to file a reply in support of any Motion to Dismiss: May 22, 2025

4                   23andMe does not object to the above proposed schedule, should the Court enter a schedule for  
5 responsive pleadings deadlines at this time.

6                   The parties have agreed to meet and confer on further scheduling deadlines in the event 23andMe  
7 does not accept the modified settlement terms on or before February 28, 2025.

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9                   Dated: February 14, 2025

By: /s/ Gayle M. Blatt  
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15                   Dated: February 14, 2025

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26                   *Interim Co-Lead Class Counsel*

1 Dated: February 14, 2025

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1 **ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(i)(3)**  
23 I, Cari Campen Laufenberg, attest that concurrence in the filing of this document has been  
4 obtained from the other signatory. I declare under penalty of perjury that the foregoing is true and correct.

5 Executed this 14th day of February, 2025, at Fort Lauderdale, Florida.

6 */s/ Cari Campen Laufenberg*  
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## **CERTIFICATE OF SERVICE**

I, Sarah Skaggs, hereby certify that on February 14, 2025, I electronically filed the foregoing with the Clerk of the United States District Court for the Northern District of California using the CM/ECF system, which shall send electronic notification to all counsel of record.

/s/ Sarah Skaggs  
Sarah Skaggs